

Minutes
Herring River Restoration Committee (HRRC)
Cape Cod National Seashore Headquarters
Wellfleet, MA
May 18, 2015
9:30 am-5:00 pm

Members Present: Tim Smith, Steve Spear, Hunt Durey, Hillary Greenberg, Charleen Greenhalgh

Others Present: Margo Fenn, Martha Rheinhardt, Don Palladino, John Portnoy

Administration/Coordination:

Communications/Coordination with Friends of Herring River (FHR): Don Palladino reported that FHR had completed its annual financial review. A new financial management team will start work this week, converting FHR financial records into a QuickBooks format. A job description for the Executive Director position is being finalized and the job announcement will be made at the end of May.

Blue Carbon: Tim Smith reported that the Waquoit Bay National Estuarine Research Reserve (WBNERR) has prepared a grant proposal entitled: Expanding Blue Carbon Implementation: *Increasing GHG Model Application in Tidally Restricted and Restored Salt Marshes*. The proposal uses the Herring River as a case study for development of a carbon sequestration model. Smith prepared a draft letter of support for the proposal from the Herring River Restoration Committee. The Committee discussed offering up to \$25,000 in available grant funds to assist with this project, and voted unanimously to do so.

High Toss Road Alternatives: The Committee discussed the range of design options for removal of the High Toss Road causeway and provision of pedestrian access to Griffin Island. HRRC members reviewed the evaluation matrix for the alternatives and generally agreed that, if providing public access is a priority, Alternative B would be the preferred alternative. The Committee discussed the process for reviewing the alternatives with interested members of the public and the Wellfleet Board of Selectmen. The group agreed that it would be best to hold another public meeting in early June to present the design alternatives to the public and then meet with the Wellfleet Selectmen to seek their endorsement for a preferred alternative. The next available date would be at the June 9, 2015 Selectmen's meeting.

Approval of Minutes: The Committee voted to approve the minutes of the April 16, 2015 HRRC meeting.

Schedule of Meetings: The Committee agreed upon the following schedule for upcoming meetings:

June 17, 2015 (10:00 am) CYCC Golf Course Design Meeting

June 17, 2015 (1:00 pm)	CYCC Facilitation Session
June 18, 2015 (9:30 am)	HRRC regular meeting
July 16, 2015 (9:30 am)	HRRC regular meeting

Discussion and Updates:

FY15 DER and NOAA Year 2 Budget Modifications: The Committee discussed completion of the work program items outline for the current year of the DER and NOAA grants. Some budget modifications have been made to adjust workloads through the end of the State Fiscal Year. FHR needs to check again with contractors to ensure that completion of deliverables is on track.

Draft Work Plan for FY 16 DER and NOAA Year 3: Margo Fenn reported that she is preparing a draft work plan for the coming year, using the outline of tasks prepared several months ago for the NOAA Year 3 grant proposal. The work plan will include a Gantt chart, outlining scheduling for upcoming tasks.

Margo Fenn and Don Palladino agreed to complete the draft work plan and provide it to HRRC members for review and amendments. The HRRC will discuss and endorse the draft work plan at its June 18, 2015 meeting.

HRRC members noted that NOAA has recently announced a new Coastal Ecosystem Resiliency Grant. The group discussed whether or not to seek funds under this program.

Strategic Planning for Construction and Implementation: The Committee discussed next steps in seeking funds for the next phases of the Restoration Project, including construction and implementation. Margo Fenn indicated that it would be helpful to have a written inventory of potential agency funding sources for restoration activities, as well as a list of key agency officials to involve in the process. Building support within the partner agencies could be an important part of the fundraising process. The Committee also discussed various non-government organizations (NGOs) that might have an interest in the Herring River Project.

Adaptive Management: Tim Smith provided the HRRC with an update on work on the Herring River Adaptive Management Plan (HRAM). He presented the proposed timeline for developing the HRAM and showed the Committee the objectives spreadsheet with performance measures. The Committee also reviewed some influence diagrams that the USGS team has developed. These diagrams are intended to identify what factors affect the desired outcomes, and therefore determine what should be modeled and monitored. He noted that the HRAM subgroup has been consulting with a science advisory group to review these materials as they are developed. The National Park Service is preparing a funding request to seek another three years of assistance from USGS with the HRAM process.

FEIS/EIR Update: Tim Smith and Margo Fenn reported that LBG is completing preparation of the “redline” version of the Final Environmental Impact Statement/Report

(FEIS/EIR). As soon as the document is ready, the redline FEIES/EIR will be distributed to the partner agencies and the Technical Working Group (TWG) for internal review. This process should take approximately a month. Following internal review, LBG will produce the final version of the document for public release. It is likely that the public review process will take place in late summer.

Tim Smith will post the FEIS/EIR on an ftp site and notify the HRRC members and interested agencies about how to access the site. HRRC members agreed to forward the link to download the document to the appropriate officials within their agencies.

Low-lying Property Mitigation Policies: The Committee discussed some draft policies regarding different types of mitigation for low-lying property impacts. Margo Fenn noted that the MOU Working Group had also reviewed these policies at its May 14, 2015 meeting, and had been generally supportive of the proposed approach. The Committee discussed what tidal benchmark would be appropriate to use in evaluating vegetative impacts and agreed that the storm of record is probably not the right benchmark to use, given that vegetation changes will be driven by more regular tidal inundation and variations in salinity in different locations within the estuary. The policy should reflect this. Charleen Greenhalgh also noted that ornamental trees and shrubs cannot likely be replaced “in kind”. The mitigation policies should include a method for determining a reasonable value for such specimens, taking into account size and variety. The HRRC will refine the LLP mitigation policies and discuss how to utilize these policies with affected property owners.

Updates on Work Plan for FY 2015:

Chequessett Neck Road (CNR) Bridge and Tide Gates: Tim Smith reported that Fuss & O’Neill would be meeting with the MA Department of Transportation (DOT) to resolve remaining issues with the 25% design plans. They are beginning the utility consultations. A contract amendment with FHR may be needed to cover upcoming work. The Committee agreed that it would make sense to hold a joint public meeting to update the public about progress on the CNR bridge design and the low-lying road design. This meeting will be scheduled for mid-to-late June.

Mill Creek Dike: Fuss & O’Neill needs to prepare a ground survey of the dike area in order to prepare a comparative analysis of dike locations and access routes.

High Toss Road: See discussion above.

Low-lying Road Design: The Committee briefly discussed the status of the Woods Hole Group (WHG) report, noting that there were four follow-up tasks agreed upon at the April HRRC meeting.

Martha Rheinhardt will check with Kirk Bosma about the status of this work.

CYCC Golf Course Design: HRRC members met with CYCC representatives and the

golf course design team on May 14, 2015 to review work to date. The design team has completed the routing plan and grassing plan and is starting work on the final grading plan. Next steps include development of the irrigation plan and a draft statement of probable cost. The designers presented a conceptual location for an access route through the CYCC upland area. This needs to be coordinated with the land plan that CYCC is developing as well as with access plans for constructing and maintaining the Mill Creek dike. Final draft plans are due to be completed on June 12, 2015 and there will be a second progress meeting on the morning of June 17, 2015. There will also be a facilitation session with Pat Field of the Consensus Building Institute (CBI) later that day.

The Committee discussed next steps in the facilitation process, noting that once a cost estimate is available, the group will need to discuss cost allocations. The value of the fill material that would be excavated from the CYCC upland is an important factor.

Cultural Resource Assessment (Phase 1B investigations): The Public Archaeology Lab (PAL) recently completed field investigations for the CNR bridge, Mill Creek dike and CYCC upland areas. PAL is preparing its report on this, which should be available this week.

Low-lying Property Survey and Engineering: Martha Rheinhardt reported that Slade Associates had completed its field survey of four private properties along Route 6 in Wellfleet and would be preparing survey plans. FHR is still seeking outside legal counsel to assist in drafting agreements with low-lying property owners. The Committee discussed engineering and land configuration options for another affected property.

Permitting: There were no proposals submitted in response to the RFP for preparation of the Development of Regional Impact (DRI) application. Martha Rheinhardt offered to contact the qualified firms to investigate why they did not submit proposals. FHR will rework the RFP, if needed and reissue it at a later date.

The Committee discussed a pre-permitting meeting that was held on May 5, 2015 with state and local permitting agencies to discuss design plans for the CNR bridge. Tim Smith noted that the structural plans for the bridge and tide gates were well-received by the regulatory agencies but there were a number of questions about administration and management of the Restoration Project. The group also conducted a site visit.

Rare Species Monitoring: Work is underway with three contractors to develop protocols and conduct baseline monitoring of rare species in the Herring River system.

Other Business: The U.S. Fish and Wildlife Service has listed the northern long-eared bat as threatened. This listing took effect on May 4, 2015 and could affect tree-clearing necessary for the Restoration Project. Eric Derleth agreed to provide more information to the HRRC on this issue.

Hunt Durey reported that the MA Division of Ecological Restoration (DER) has provided some draft language for the Cape Cod Regional Transportation Plan regarding road

stream crossings.